

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
: CV 06 4818 (JFB)(AYS)
: Plaintiff, :
: DECLARATION IN
: SUPPORT OF MOTION TO
: WITHDRAW AS COUNSEL
: against-
: LAWRENCE AVIATION INDUSTRIES, INC.,
: GERALD COHEN, and ONE HUNDRED TWENTY-
: FIVE ACRES OF LAND, MORE OR LESS, LOCATED
: CONTIGUOUSLY OFF SHEEP PASTURE ROAD,
: PORT JEFFERSON STATION, NEW YORK,
: Defendants. :
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Donald E. Creadore, pursuant to 28 U.S.C. § 1746, does hereby state under penalty of perjury that the foregoing is true and correct.

1. I am an attorney at the Creadore Law Firm, P.C., and counsel of record for defendants Lawrence Aviation Industries, Inc. and Gerald Cohen in the above-captioned matter. A declaration in support of this motion is submitted herewith. I submit this declaration in support of my motion to withdraw the Creadore Law Firm, P.C. as counsel for defendants Lawrence Aviation Industries, Inc. ("LAI") and Gerald Cohen ("Cohen") in the above-captioned matter.

2. I have had limited success in maintaining contact with Mr. Cohen, who is also the sole representative of Lawrence Aviation Industries, Inc., frustrating my ability to confer and represent them in a meaningful manner.

3. I have personally advised orally and in writing to Mr. Cohen that the Creadore Law Firm would be constrained to withdraw as their counsel in the event that defendants failed to cooperate with counsel. In fact, one of the provisions to the retainer agreements that

defendants had earlier signed provides for withdrawal as counsel in the event Gerald Cohen and Lawrence Aviation Industries fails to cooperate with counsel. In my opinion, my clients are not cooperating with counsel.

4. The last known address for Gerald Cohen and LAI is: Gerald Cohen, 38 Bridle Path Road, St. James, NY 11780

5. Cohen and LAI have also failed to remain current on their legal bills and no payment has been received since 2014, and no assurance of payment has been provided by them. At this juncture, I do not believe that LAI or Cohen has sufficient assets to pay the legal fees that it agreed to pay the Creadore Law Firm.

6. The Creadore Law Firm also seeks to assert a retaining lien as against the files, if only to secure payment of its outstanding legal fees at some point in time in the future.

7. Accordingly, and for all of the reasons stated above, I do not believe that I can represent Cohen and LAI in this lawsuit in accordance with our professional obligations and I, therefore, respectfully request permission to withdraw as counsel of record in this action.

8. A copy of the Notice of Motion to Withdraw as Counsel by the Creadore Law Firm, P.C., together with this accompanying Declaration, was mailed to the address referenced in paragraph 4 above, and was mailed to Gerald Cohen's and Lawrence Aviation Industries, Inc., at their last known addresses, on July 20, 2015. I am not aware of any other means by which I might notify Cohen or LAI of my motion to withdraw.

Dated: August 19, 2015

THE CREADORE LAW FIRM, P.C.

*Attorneys for Defendants Lawrence Aviation Industries Inc.
and Gerald Cohen*

By: /s/ Donald Creadore

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